

HB4820



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4820

by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7A-1

from Ch. 46, par. 7A-1

Amends the Election Code. Requires that a judicial retention declaration be filed 6 months before the next scheduled general election before the expiration of the judge's term (now, on or before the first Monday in December before the general election before the expiration of the judge's term).

LRB095 15831 JAM 41840 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 7A-1 as follows:

6 (10 ILCS 5/7A-1) (from Ch. 46, par. 7A-1)

7 Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has
8 been elected to that office and who seeks to be retained in
9 that office under subsection (d) of Section 12 of Article VI of
10 the Constitution shall file a declaration of candidacy to
11 succeed himself in the office of the Secretary of State 6
12 months ~~on or before the first Monday in December~~ before the
13 next scheduled general election preceding the expiration of his
14 term of office. Within 3 business days thereafter, the
15 Secretary of State shall certify to the State Board of
16 Elections the names of all incumbent judges who were eligible
17 to stand for retention at the next general election but failed
18 to timely file a declaration of candidacy to succeed themselves
19 in office or, having timely filed such a declaration, withdrew
20 it. The State Board of Elections may rely upon the
21 certification from the Secretary of State (a) to determine when
22 vacancies in judicial office exist and (b) to determine the
23 judicial positions for which elections will be held. The

1 Secretary of State, not less than 63 days before the election,
2 shall certify the Judge's candidacy to the proper election
3 officials. The names of Judges seeking retention shall be
4 submitted to the electors, separately and without party
5 designation, on the sole question whether each Judge shall be
6 retained in office for another term. The retention elections
7 shall be conducted at general elections in the appropriate
8 Judicial District, for Supreme and Appellate Judges, and in the
9 circuit for Circuit Judges. The affirmative vote of
10 three-fifths of the electors voting on the question shall elect
11 the Judge to the office for a term commencing on the first
12 Monday in December following his election.

13 (Source: P.A. 86-1348.)